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Report of the Independent Expert on human rights and international solidarity on her mission to Cuba

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the report of the Independent Expert on human rights and international solidarity, Virginia Dandan, on her visit to Cuba from 10 to 14 July 2017, prepared pursuant to Council resolution 23/12. The main purpose of the visit was to examine and observe how human rights were integrated into the international solidarity programmes and activities of Cuba.

This report is structured using the framework of the three essential features of the draft declaration on the right to international solidarity: preventive solidarity, reactive solidarity and international cooperation. In this context, the Independent Expert describes what she observed regarding the country's solidarity activities through the process and outcomes of sending and receiving development cooperation, in partnership with other countries, as well as with international organizations and agencies.

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* Circulated in the language of submission and in Spanish only.

I. Introduction

1. The Independent Expert on human rights and international solidarity, Virginia Dandan, visited Cuba from 10 to 17 July 2017, at the invitation of the Government. The aim of the visit was to examine how human rights were integrated into the country's international solidarity efforts. The Independent Expert is grateful to the Government for its invitation and for its support and cooperation provided before and during her visit.

2. In accordance with the mandate established by the Commission on Human Rights in resolution 2005/55 and renewed by the Human Rights Council in resolutions 7/5, 17/6 and 23/12, the Independent Expert presented the draft declaration on the right to international solidarity in June 2017 during the thirty-fifth session of the Council.[1] She used the three essential features of international solidarity as reflected in the draft declaration — preventive solidarity, reactive solidarity and international cooperation — to frame her recommendations following her visit.

3. During her visit, the Independent Expert met with representatives of the Ministry of Foreign Affairs, the Ministry of Education, the Ministry of Public Health, the Ministry of Foreign Trade and Foreign Investment, the Civil Defence National Staff, as well as with those of the National Institute of Sport, Physical Education and Leisure, the Latin American School of Medicine and the Cuban Institute for Friendship with the Peoples. She met with representatives of civil society and had the opportunity to engage in conversation with some patients and medical staff in an outpatient clinic in Havana, as well as with some older persons from the community home at the Belén Convent, and with foreign scholars of the Latin American School of Medicine. Although it was not part of her official programme, upon her arrival in the country, the Independent Expert visited old Havana, on the advice of the Office of the City Historian, as well as the National Museum of Fine Arts. These visits provided her with a valuable introduction to the historical, social and cultural development of Cuba and its people, as well as to the cooperation programme in the area of historical patrimony.

4. The Independent Expert is grateful to the Office of the Resident Coordinator in Cuba for assisting and coordinating the visit, as well as to the United Nations country team for meeting with her. She would like to thank all those who took the time to exchange views with her.

5. The visit of the Independent Expert took place a few months before the municipal elections and before the island was hit by Hurricane Irma. In this regard, she conveys her sympathies and solidarity with the people affected by the calamity.

6. In the present report, the Independent Expert focuses on solidarity initiatives and programmes in the areas of health, education and sports. The Government has provided international cooperation in these areas to other countries as a form of solidarity.

II. Relevant human rights framework

7. Cuba has ratified the Convention on the Elimination of all Forms of Discrimination against Women,[2] the Convention on the Rights of the Child and its first two Optional Protocols, the International Convention on the Elimination of All Forms of Racial Discrimination,[3] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance. Cuba signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in 2008, but has yet to ratify these treaties and their respective Optional Protocols. Cuba has also yet to ratify the International

[1] A/HRC/35/35, annex.
[2] With a reservation to art. 29.
[3] With a reservation to art. 22.

Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Optional Protocols to the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities.

8. In its report for the second cycle of the universal periodic review, Cuba highlighted that the country had taken numerous measures and initiatives to achieve the broadest possible enjoyment of all human rights and fundamental freedoms by all and noted that the National Assembly had adopted the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021, with a view to ensuring the sustainable development of Cuban society, and its progress towards a just, free, independent and equitable society of solidarity.[4]

9. At the inter-American level, Cuba has not ratified the relevant human rights instruments[5] and, despite its formal suspension from the Organization of American States in 1962,[6] the Inter-American Commission on Human Rights concluded that "it retains jurisdiction *ratione materiae* to review individual petitions against Cuba that allege violations of a right or obligation contained in the American Declaration".[7]

10. The preamble to the Cuban Constitution recognizes the solidarity of the peoples as enshrined in its article 1, the principle of human solidarity and the principles of equality and non-discrimination, as stated in articles 41 to 44. The Constitution also recognizes economic, social and cultural rights, including the right to social security (art. 47), social assistance (art. 48), health (art. 50), education (art. 51) and physical education, sport and leisure (art. 52), among others.

III. Foreign policy and human rights

Commitment to the Sustainable Development Goals

11. Cuba is presently in the process of updating its economic model. At the time of the visit, the Cuban Parliament had just approved the Outline of the National Plan for Economic and Social Development until 2030, in addition to the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 and the Conceptualization of the Cuban Economic and Social Model for Socialist Development.[8] The last mentioned serves as a reference in shaping the economic and social model and encompasses key elements for the socioeconomic development of Cuba.[9] Further to the Outline of the National Plan for Economic and Social Development, in a second stage, most likely by 2018, it is expected to validate and integrate the different programmes and lines of actions. The document also refers to the need to design a development plan with the participation of the whole of society.[10] While acknowledging the inclusion of the whole of society in the development plan, the Independent Expert stresses that a human rights-based approach requires peoples' participation throughout the entire processes of solidarity at the national and international levels.

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[4] See A/HRC/WG.6/16/CUB/1, paras. 3 and 11.

[5] See www.oas.org/en/iachr/mandate/basic_documents.asp.

[6] See www.oas.org/en/member_states/#Cuba.

[7] Cecilia Cristina Naddeo, "The inter-American system of human rights: a research guide", *Globalex* (September 2010). Available at www.nyulawglobal.org/globalex/Inter_American_human_rights.html#_edn2.

[8] Available at www.cubadebate.cu/especiales/2017/07/13/lea-los-textos-definitivos-de-la-conceptualizacion-del-modelo-cubano-y-la-actualizacion-de-los-lineamientos/#.WIYIa02ou1t.

[9] Office of the Resident Coordinator in Cuba, *Marco de Asistencia de Naciones Unidas para el Desarrollo, Cuba, 2014–2018* (June 2013). Available at www.unfpa.org/sites/default/files/portal-document/Cuba_UNDAF%202014-2018_Sp.pdf.pdf.

[10] Outline of the National Plan for Economic and Social Development until 2030, p. 16. Available at www.granma.cu/file/pdf/gaceta/%C3%BAltimo%20PDF%2032.pdf.

12. In the field of macroeconomic policies, guidelines 23 to 25 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 indicate the objectives of increasing gross domestic product (GDP); ensuring a level of sustainable development to reach higher levels of productivity in all sectors of the economy, science, technology and innovation; ensuring a progressive decrease in the subsidies provided by the State; and contributing to improve, as much as possible, the offer of products and services to the population. Regarding foreign investment, guidelines 78 and 79 illustrate the goal of increasing direct foreign investment as a valuable source of development for the country, and of diversifying the participation of different countries in the process of promoting investments.

13. The Outline of the National Plan for Economic and Social Development refers to the preservation of universal access to health, education, social assistance and food, among others.[11] In the Outline, objectives 16 to 18 of the strategic axis on human potential, science, technology and innovation also express the need to design and differentiate policies addressed to groups with special needs and strengthen protection for older persons and to ensure that persons with disabilities have equal opportunities and that all citizens are able to exercise their rights on the basis of equality.

14. In relation to Sustainable Development Goal 1 (on ending poverty in all its forms), the Independent Expert was not able to assess the poverty levels in the country in the absence of the relevant statistics. On the other hand, it is clear that social inequalities are increasing due to a number of factors, such as tourism, among others.[12]

15. Cuba looks upon the 2030 Agenda for Sustainable Development as a road map to guide its national and international efforts to eradicate poverty and hunger. The country's food subsidy programme was a significant factor in its achieving target 1.C of the Millennium Development Goals. The food subsidy programme consists of a monthly food basket for the entire population, school meals, as well as mother and child health-care programmes.[13] Through this programme, the Government has been able to reduce the rates of malnutrition, moderate and severe underweight children under 5 and stunting, which has dropped below 5 per cent.[14] The Independent Expert was informed that, at the time of her visit, in addition to the efforts made by the Government, the solidarity among the population and, in particular, between neighbours can be largely attributed to the fact that there are no people in the country who suffer from hunger. The challenges that remain in relation to the achievement of Sustainable Development Goal 2 (on zero hunger) include food imports, which represent nearly 80 per cent of its domestic food requirements; a lack of improvement in farming technology and limited technical capacity; poor access to inputs and credit;[15] and the effects of the economic, commercial and financial embargo.

16. Guidelines 147 to 149 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 address the goal of gradually eliminating excessive subsidies, according to the principle of subsidizing persons that need it and not products, and of continuing the gradual elimination of products from the monthly food basket, in order to ensure an egalitarian distribution. The Guidelines also indicate that subsidized prices should be maintained, as well as the food provided through social services, while prioritizing the health institutions and education centres that require them.

17. In relation to Sustainable Development Goal 5 (on gender equality), in its latest report to the Committee on the Elimination of Discrimination against Women, Cuba pointed out that it had enacted many laws and legal provisions safeguarding human rights, including the rights to health, education, social security and social assistance.[16]

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[11] Ibid., p. 21.

[12] Alejandro de la Fuente, "Race and income inequality in contemporary Cuba", 16 August 2011, North American Congress on Latin America. Available at https://nacla.org/article/race-and-income-inequality-contemporary-cuba.

[13] See www1.wfp.org/countries/cuba.

[14] See www.wfp.org/stories/6-facts-about-food-security-in-cuba.

[15] See www1.wfp.org/countries/cuba.

[16] See CEDAW/C/CUB/7-8, para. 13.

18. With regard to Sustainable Development Goal 7 (on affordable, reliable, sustainable and modern energy for all), the Government has been developing a set of programmes in the national energy sector with a view to increasing the generation of electricity through efficient technologies that reduce the consumption of fuel.[17] Guiding principle 8 of the Outline of the National Plan for Economic and Social Development refers to the aim of transforming and developing the energy matrix through an increase in the proportion of renewable sources, among others. Guiding principle 24 refers to the conservation, protection and rational use of natural resources and the mitigation of climate change impacts. The Government indicated that Cuba generated 4 per cent of its own electricity, but that it aimed to generate by 24 per cent by 2030, focusing on bioelectricity, biomass, wind farms and solar panels.

IV. Preventive solidarity

19. Guideline 118 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 specifies the aim of continuing to improve education, health, culture and sports.

A. Health

20. The Constitution enshrines the right to health and health care. At the time of the visit, the Law on Public Health was being updated. The national system of health care ensures the provision of free and universal medical and hospital care in polyclinics and preventive and specialist treatment centres, along with free dental care and, through the promotion of health education and awareness, vaccinations and other measures to prevent the outbreak of disease. Health services are planned, regionalized and developed with the active participation of the community. According to official sources, in July 2017, there were 500,294 health workers in the country, of which 85,563 were doctors. Based on recent government information, average life expectancy is 78.45 years and the child mortality rate is 4.2 per 1,000 live births.

21. The health system in Cuba emphasizes the promotion of health and the prevention and early detection of diseases. Polyclinics, in which patients receive primary medical attention and care, are the entry points to the health-care system for the population. Official sources provided information that indicated that there were, at the time of the visit, 451 polyclinics in the country, in which between 70 and 80 per cent of primary health problems were addressed. The polyclinics are complemented by hospital services and other institutions. The Independent Expert was informed that polyclinics provided medical attention and care for between 15,000 and 60,000 persons in each specific geographical area. She was also informed that there were more than 36,000 family doctors and 12,000 specialists in the polyclinic system. In July 2017, it was estimated that there was one doctor and one nurse for every 1,094 inhabitants.

22. One of the priority programmes of the health system addresses the needs of pregnant and breastfeeding women. Newborn infants are examined in order to follow their growth and psychomotor development. In cases in which such development is deemed to be delayed, a neurologist is integrated into the list of specialists monitoring the health of the child. There is also a vaccination programme consisting of 11 vaccinations, of which 8 are produced by Cuba, for 13 diseases. This has contributed to the eradication of diseases such as malaria, poliomyelitis, diphtheria, whooping cough, measles, rubella, congenital rubella syndrome, neonatal tetanus and tubercular meningitis.[18] According to official sources, there is also a medical consultation programme in the field, consisting of annual medical visits to families, aimed at providing health care to patients who are physically unable to go to a polyclinic.

[17] See "Cuba, après Fidel", *Questions Internationales*, No. 84 (March–April 2017).

[18] See A/HRC/WG.6/16/CUB/1, para. 50.

23. The Government has taken important measures to implement sex education programmes in relation to sexual and reproductive health, in cooperation with the United Nations Population Fund. The Government tries to prevent adolescent pregnancies by making contraceptives and the morning-after pill available through the primary health-care services.

24. The Independent Expert was informed that if, for some reason, a pregnant woman decided to terminate her pregnancy, it was possible for her to get an abortion. The country allows abortions, without restriction, until the 12th week of pregnancy.[19] Nevertheless, the Independent Expert was also informed by official sources that women were encouraged to carry their pregnancy to full term.

25. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), in 2016, there were about 25,000 adults aged between 15 and 49 years living with HIV in the country and less than 200 children aged 14 years or less.[20] The country has worked to ensure HIV and syphilis testing for both pregnant women and their partners. The Government provides services for women who test positive along with their babies, as part of the health-care system in which maternal and child health programmes are integrated with programmes for HIV and sexually transmitted infections.[21] Since 2010, the World Health Organization (WHO)/Pan American Health Organization have been working with partners in Cuba to implement a regional initiative to eliminate mother-to-child transmission of HIV and syphilis. In June 2015, Cuba became the first country in the world to receive WHO validation for the elimination of mother-to-child transmission of these diseases.

26. The Independent Expert was informed that the embargo had had an adverse impact on health services, in particular technology. Nevertheless, the country has managed to develop its own expertise and self-sufficiency in the health sector, by producing 70 per cent of the pharmaceuticals it requires.[22] In 2013, it was estimated that the Cuban biotechnology industry held about 1,200 international patents.[23]

B. Education

27. The right to education is enshrined in the Constitution and implemented through a free and comprehensive school system for primary and secondary education (for schoolchildren between 6 and 15 years of age). The educational policy of Cuba is also based on Law No. 16 on the Child and Youth Code (1978) and Law No. 1289 on the Family Code (1975).

28. The Independent Expert was informed that 9 per cent of GDP was allocated to education and that all educational materials were free of charge, which gave all children and young persons equal opportunities to learn and develop their inherent capacities and skills, regardless of their economic conditions. The Government provided information that, at the time of the visit, there were about 250,000 teachers in the country and 50 institutions of higher education at the tertiary level, in which some 218,643 students were enrolled.

29. Although early childhood education is not compulsory in Cuba, free, quality education is available in both institutional and non-institutional forms and reaches 99.5 per cent of children under 6 years of age.[24] The Educate your Child programme addresses children under 6 years of age who are not in institutions, including children with special

[19] Center for Reproductive Rights, "Abortion and reproductive rights in Latin America: implications for democracy" (March 2015), p. 2. Available at www.reproductiverights.org/sites/crr.civicactions.net/files/documents/IAD9794%20Repro%20Rights_web.pdf.

[20] See www.unaids.org/en/regionscountries/countries/cuba.

[21] See www.who.int/mediacentre/news/releases/2015/mtct-hiv-cuba/en/.

[22] See "Cuba, après Fidel". See also www.who.int/features/2013/cuba_biotechnology/en/.

[23] See www.who.int/features/2013/cuba_biotechnology/en/.

[24] UNICEF, *Early Childhood Development in Cuba — Sharing the Experience of a Scaled-up Integrated System that Promotes the Best Start in Life for Every Child* (Habana, February 2016), pp. 12 and 40.

needs. Families, the community and an intersectoral focus are essential elements of the programme. Among the activities for families, there are educational activities that can be developed with the children at home. The programme was created with the objective of looking at ways to prepare children from rural (mainly mountainous) areas for school as they do not have access to preschool institutions. According to official information, between 1992 and 1993, the programme was expanded to include families and children throughout the country. In February 2016, 68 per cent of children below the age of 6 years participated in the programme.[25]

30. The programme is coordinated, at the national level, by the Ministry of Education, and the Ministries of Health, of Culture and of Justice, as well as civil society organizations. It receives support from the United Nations Children's Fund (UNICEF) and is implemented through agencies and groups that work at the provincial, municipal and people's council levels. It also involves the participation of families with the support of communities, in which there are special programmes for the needs of pregnant women, mothers with newborn infants up to 1 year of age, and families with children between 1 and 5 years of age. These special programmes are designed to include orientation sessions and activities to stimulate child development, and prepare families so that they can continue the activities at home. This is particularly important for families with children of preschool age, who live in mountainous areas and other remote communities with no access to preschool institutions.

31. The programme has also been adapted to children with specific needs and implemented in other settings, such as paediatric hospitals and penitentiary centres, in order to also prepare families and aid in the development of hospitalized children and children with incarcerated parents.[26]

32. Between 1990 and 2010, enrolment in primary schools stood at 100 per cent of children aged between 6 and 11 years of age. According to official data, approximately 97 per cent of children who reach first grade meet the basic requirements concerning learning how to read and write. This achievement has been mainly attributed to the preparation provided to children in early childhood, including children with special needs.

33. The Independent Expert was informed that human rights values were included in the primary and higher education curricula. The main purpose of their inclusion is to impart the values and habits of social coexistence and promote general education in the field of human rights. The values component, including human rights, cuts across the various disciplines in higher education, while issues such as those relating to gender equality, sexual and reproductive health rights, diversity and gender orientation, gender identity and sexuality are also integrated into the relevant disciplines.

C. Sports

34. The National Institute of Sport, Physical Education and Leisure promotes and provides services relating to systematic physical activities in the field of physical education at school, as well as the promotion of health and physical recreation, among others. The Independent Expert was informed that there were more than 200 doctors working with sportsmen and sportswomen within the country.

35. The Independent Expert commends Project for Life, a community project on physical activity, the main objective of which is to contribute to the improvement of social care, health and the quality of life of the population and their coexistence in solidarity; reduce the incidence of violence against or abuse of boys and girls, adolescents and women; and prevent and reduce non-communicable chronic diseases.[27] Project for Life, which has also been replicated in the Bolivarian Republic of Venezuela, El Salvador, Panama, Peru

[25] See www.oei.es/historico/inicial/cubane.htm.

[26] UNICEF, *Early Childhood Development in Cuba*, pp. 34 and 40.

[27] See www.cubadeportes.cu/public/files/Proyecto%20de%20Actividad%20Fisica%20Comunitaria%20(ES).pdf.

and Timor-Leste, consists of physical and recreational programmes for those residing in densely populated, marginal and/or socially disadvantaged neighbourhoods. Emphasis is placed on the most vulnerable: boys and girls, adolescents — including those with specific educational needs — women and older persons. In addition to encouraging and promoting the participation of families and communities, the project has also demonstrated its effectiveness in psychosocial recovery after natural disasters.

36. The project Football for All, coordinated by the National Institute of Sport, Physical Education and Leisure and the Ministry of Education, is one of the projects supported by UNICEF. The project aims to promote gender equality through the establishment of teams of boys and girls, allowing them to share the same football field under conditions of equality. Since 2016, the project has been expanded to include children with disabilities, with each team required to include four such children.[28] In addition, another project, the Physical Activity and Youth project, aims to create values to encourage the healthy and active use of time among young persons. The Independent Expert was informed that the Olympic Committee and the Pan American Sports Organization had been supporting projects in the field of sport, as well as other projects on solidarity, particularly in rural areas.

37. The Independent Expert was also informed that the United Nations Educational, Scientific and Cultural Organization (UNESCO) had undertaken eight projects with the Institute of Sports Medicine relating to anti-doping education. The National Institute of Sport, Physical Education and Leisure also indicated that all Cuban athletes were tested at school to make sure that they were not taking any illegal performance-enhancing products.

V. Reactive solidarity

38. Over the years, Cuba has made significant contributions in the area of reactive solidarity, through its outstanding responsiveness to health crises resulting from epidemics and disasters worldwide.

A. Health crises

39. Cuba has a comprehensive health programme that sends emergency teams composed of doctors, nurses and other health workers to areas affected by extreme weather events and/or epidemics, whether within or outside the country, including to isolated areas. The presence of medical teams is supported through bilateral or multilateral health agreements. In September 2005, the Henry Reeve International Contingent of Doctors Specializing in Disasters and Serious Epidemics was created specifically to respond to extreme weather events and epidemic emergencies. According to official sources, between 1960 and 2005, 30 medical teams and 2,072 health workers have been sent to 20 countries to respond to the health needs arising from flooding and intense rain, earthquakes, epidemics, hurricanes and tsunamis, among others.

40. The Government provided information that, at the time of the visit, 24 medical teams composed of doctors and nurses, and 7,491 health workers were currently deployed in 21 countries to provide care for more than 3.5 million people affected by the various emergencies mentioned above. During the Ebola outbreak, medical teams from Cuba went to Sierra Leone, Liberia and Guinea even as others were pulling out because of the dangerously high levels of contamination. In May 2017, during the 70th World Health Assembly, the Doctor Lee Jong-wook Memorial Prize for Public Health was presented to the Henry Reeve Brigade for its outstanding contributions to public health around the world.

41. Cuba also provided assistance to children who were brought to Cuba for medical treatment after the Chernobyl nuclear accident, which took place in 1986. Responding to

[28] Marta López Fesser, "In Cuba, celebrating differences through inclusive football", 19 May 2016. Available at https://www.unicef.org/infobycountry/cuba_91113.html.

the evidence that the medical impact of this disaster would affect the population over the long term, Cuba created, in 1990, a programme focused on providing assistance to victims of the Chernobyl nuclear accident.[29] According to official statistics, the programme was responsible for providing comprehensive and free medical care, through a wide variety of specialists in the Tarará Paediatric Hospital, to more than 21,000 children from Ukraine, the Russian Federation, Belarus, Armenia and the Republic of Moldova.[30] A number of adults, who were accompanying their children, were also treated, since the chronic diseases resulting from the nuclear accident became evident during their stay in Cuba. The programme was suspended in 2011.

B. Natural disasters

42. The country has a comprehensive National Civil Defence System to mitigate the adverse effects of natural disasters.[31] In its national environmental strategy, the country intends to increase the protection and rational use of its natural resources, and the environmental awareness and quality of life of the population, while addressing the impacts of social change.[32] The Independent Expert was informed that the reduction and management of disaster risks continued to be a national priority through the development of policies and capacity-building, with the objective of mitigating the adverse effects of disasters arising from natural hazards and catastrophes.[33]

43. According to the National Civil Defence System, centres for the reduction of risks have been created in the most vulnerable municipalities and at the time of the visit, more than 332 early warning locations were already in place throughout the country. The Independent Expert was informed that, before the onset of the hurricane season, simulation exercises had been held for the public, in which more than 3 million people had participated. When a hurricane is imminent, the population at risk is sent to evacuation centres for their protection. The National Civil Defence System indicated that, from 2002 and until the time of the visit, after 29 cyclones, the total number of casualties was 56.[34]

44. The Independent Expert was informed of the establishment of a working group on the State plan (entitled "Vital Task") to confront the impacts of climate change in Cuba up to 2050 and 2100, which would be integrated by various State entities. Based on projections, by 2050, 21 human settlements would disappear due to the rise in water levels. The priority is to work on equipment to make future projections of weather and climate conditions, in particular in relation to cyclones.

45. The Independent Expert also learned that Cuba now experiences one drought every year, instead of every five years, as had been the case in previous years. Furthermore, the phenomenon of water scarcity is beginning to be a problem. According to official sources, at the time of the visit, there were more than 56,000 people who depended on water tanks to meet their basic water needs.

46. The National Civil Defence System is responsible for identifying the places at risk of earthquakes and tsunamis. There is a community-wide system of communication in the event of disaster. In 2009, master's degrees in risk reduction and in the reduction of sanitary risks were created, enabling more people to receive training in these specialized fields.

47. Cuba shares its experiences in disaster risk reduction and preparedness with other countries, including through training. Cuba has established South-South cooperation with 10 countries, through which it shares the lessons learned from good practices. These good practices are presently being used in Haiti and Timor-Leste. After the 2010 earthquake that

[29] Chernobyl Cuban Humanitarian Programme. See www.sld.cu/sitios/chernobili.

[30] Ibid.

[31] See A/HRC/7/5/Add.3, para. 56.

[32] Office of the Resident Coordinator in Cuba, *Marco de Asistencia de Naciones Unidas para el Desarrollo*, p. 22.

[33] Ibid.

[34] This information does not take into account the victims of Hurricane Irma, which hit the country in September 2017.

devastated Haiti, Cuban medical teams arrived there during the height of the emergency and stayed to assist in rebuilding the country's health service. A total of 930 health-care professionals were deployed in Haiti, comprising the largest contingent of aid workers that responded to the disaster.[35]

VI. International cooperation

48. Cuba has a long-standing tradition of solidarity with other countries, particularly with those that are working to overcome the challenges of underdevelopment. It has invested significant resources, in particular human resources, with a view to promoting health equity within Cuba, as well as in other countries. International cooperation thus represents an important component of its foreign policy.

49. At the regional level, Cuba is a member of the Community of Latin American and Caribbean States, the Bolivarian Alliance for the Peoples of Our America, the Latin-American Integration Association and the Latin American and Caribbean Economic System, among others. Guidelines 86 and 87 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 stress the priority given to the country's participation in the Bolivarian Alliance for the Peoples of Our America, as well as its continuing participation in the economic integration of Latin America and the Caribbean. In addition, these guidelines seek to maintain the participation of Cuba in the Latin-American Integration Association, the Caribbean Community and the Association of Caribbean States, among others.

50. Responsibility for international cooperation in Cuba rests with the Ministry of Foreign Affairs and the Ministry of Foreign Trade and Foreign Investment. The Ministry of Foreign Trade and Foreign Investment also approves the rules for the country's economic collaboration with foreign entities.[36] The Independent Expert was informed that the Government was working on new regulations on international cooperation.

A. Cooperation provided by Cuba

51. International cooperation is an important aspect in educational development, whether at the national level or across country borders.[37] As mentioned above, solidarity is an essential component of Cuban society, and is understood and accepted as a necessity among peoples. Guideline 84 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 indicates the aim to "continue developing international solidarity through the cooperation offered by Cuba".

52. Cuba has invested significant resources, in particular human resources, to maintain its strong partnerships, which are characterized by the sharing of good practices, with more than 30 countries, in particular those in Africa.[38] The Government noted that, despite the limitations it faces, Cuba offers what it has, not what is leftover. According to official sources, at the time of the visit, more than a million Cubans had provided assistance abroad. The main areas in which the Government has been cooperating are in the fields of health, education and sports.

1. Health

53. It was in the context and aftermaths of Hurricanes Mitch and George, and in parallel with the drafting of the Comprehensive Health Programme in 1999, that the Latin

[35] "Cuba, après Fidel".

[36] Vivian Cabrera Pérez, "La cooperación internacional para el desarrollo en Cuba: un caso de studio" (Madrid, Instituto Universitario de Desarrollo y Cooperación, May 2014). Available at https://www.ucm.es/data/cont/docs/599-2014-05-19-PLMP_Finalista_Viviana.pdf.

[37] Sophia Kecskes, "Cuba as a humanitarian model in the 21st century", *Yale Review of International Studies* (June 2015). Available at http://yris.yira.org/comments/1560.

[38] Ibid.

American School of Medicine was created. It was established for the purpose of providing training for future physicians. Full medical scholarships are available to those coming from the countries affected by the hurricanes. Medical scholarships are also available for students from low-income families from all over the world. The only requirement or condition is that students must return home after graduation, to serve as health workers in their own countries. The majority of students in the School of Medicine come from humble families who live in remote places in their countries of origin. More than one hundred ethnic groups are represented among the students, and it is in this diversity that the strength of the project lies.

54. The Independent Expert met and spoke with some of students of the School of Medicine and one of them highlighted the importance of harmonious relationships among students of different nationalities. Another student emphasized that students had a valuable opportunity to acquire and develop a social perspective, as it was young persons who could change the world. The Independent Expert was informed by the School of Medicine that as of July 2017, more than 27,800 students had graduated as doctors. In 2008, the first international meeting of practising doctors who graduated from the School of Medicine took place. According to the School of Medicine, more than 700 graduates participated. The next meeting will be organized in 2018.

55. Cuba also sends doctors to remote rural communities abroad in which there are no local doctors, such as in the Bolivarian Republic of Venezuela and Brazil. In 2013, the first group of doctors arrived in Brazil, under the More Doctors programme. According to official sources, in July 2017, 42,000 Cuban health workers were based in 63 countries and Cuban doctors were serving in more than 6,000 outpatient clinics in the Bolivarian Republic of Venezuela.

56. Operation Miracle, established in 2005, is a solidarity programme jointly undertaken by the Governments of Cuba and the Bolivarian Republic of Venezuela. It was created to provide health care to low-income patients suffering from ocular pathologies. According to official sources, the programme has been developed in 19 countries and, as of July 2017, nearly 3 million people from 34 countries in Latin America, the Caribbean and Africa had benefited from it.

57. According to the Government, in 2017, Cuba provided cooperation in the area of health to 64 countries, through 50,000 health workers, half of whom were medical doctors. Additionally, faculties of medicine were established abroad, of which seven were still in operation at the time of the visit in Angola, the Bolivarian Republic of Venezuela, the Gambia, Guinea Bissau, Guyana, the United Republic of Tanzania and Timor-Leste.

2. Education

58. Since it was first implemented in 2002, the Yes I Can literacy programme has been developed in 28 countries of Latin America, Asia, Africa and Oceania. The basis of the programme is a five-page booklet that uses the association of numbers with letters in the teaching of reading and writing. The booklet has been translated into English, French, Portuguese and several indigenous languages, including Quechua, Aymara and Swahili. The objective of the programme is to engage the interest of students through their active participation in the social, economic and political environment of the community in which they live.[39] It also targets people living in rural and remote areas, through courses aired on radio and television, which are handled by facilitators and advisers using appropriate teaching materials for broadcast media.

59. The programme, which costs approximately $33 per learner,[40] has contributed to the literacy skills of more than 9 million people in about 30 countries. It is considered one of the major cooperation programmes of Cuba, having gained recognition by being awarded

[39] Álvaro Fuente, "Yo si puedo acabar con el analfabetismo", *El País*, 12 January 2017. Available at http://elpais.com/elpais/2017/01/11/planeta_futuro/1484157646_626884.html.

[40] UNESCO, *EFA Global Monitoring Report — 2006 Education for All, Literacy for Life* (Paris, 2005). Available at http://unesdoc.unesco.org/images/0014/001416/141639e.pdf.

the UNESCO King Sejoung Literacy Prize in 2003. Consequently, the Yes, I Can Continue programme was established with the objective of continuing and refining literacy in countries in which the initial programme had been successful.

60. At the higher education level, where scholarships are available for foreign students, official data show that more than 56,000 students from countries in Africa, Latin America and the Caribbean have graduated from the higher education system of Cuba through more than 2,000 ministerial and academic agreements. After their graduation, the students return to their countries of origin. According to official information, for the period between 2016 and 2017, Cuba received 218,643 students at the higher education level and by July 2017, 21,932 foreign students from countries in Africa, Latin America and the Caribbean had graduated in Cuba. Of this number, 18,622 had graduated from high school, with 3,310 graduating at the superior level, showing that a significant number of students, mainly at the high school level, had benefited from the Cuban education system. The Government noted that, at the time of the visit, there were 115 foreign students, from 28 different countries, at the higher education level in Cuba.

61. The Government has indicated that the country's educational cooperation programme is strengthened by the participation of 1,500 teachers who provide academic services abroad each year, particularly in the countries of Africa, Latin America and the Caribbean. The Independent Expert was informed that this type of cooperation also benefited Cuba, as the teachers who were sent abroad brought back the good practices they had learned from the countries they had visited, with the possibility of replicating those practices in Cuba.

3. Sports

62. In 2000, the International School of Physical Education and Sports was created with the purpose of bringing young people from poor countries to Cuba to study physical education, with a specialization in a specific sport, after which they would return to their country of origin. The school was closed in 2015, but during those 15 years, according to official information, students of poor families living in rural areas in more than 70 countries graduated from the physical education courses. In 2014, graduates who returned to their respective countries of origin were traced through the Cuban embassies. The feedback from the Cuban embassies revealed that more than 2,000 of those graduates, representing the majority of those that had graduated, had returned to their countries of origin and were indeed working in the fields of sport, physical education and leisure.

63. Cuba also offers international support to other countries by sending Cuban sportsmen and sportswomen to, among others, Haiti and African countries to provide assistance as sports technicians, teachers and trainers. Official sources noted that, at the time of the visit, Cuba had signed sports cooperation agreements with 134 countries. The Independent Expert was informed that there were also more than 200 Cuban athletic coaches and sports workers in more than 30 countries, including the Bolivarian Republic of Venezuela, the Dominican Republic, Italy, Mexico and Panama. According to official information, between 2016 and 2017, more than 2,000 technical specialists in the field of sports were working in the Bolivarian Republic of Venezuela to provide advisory support during athletes' training, as well as in physical education programmes and the promotion of fitness and leisure for all.

64. As a result of its success, the above-mentioned Project for Life has been replicated in the Bolivarian Republic of Venezuela, El Salvador, Panama, Peru and Timor-Leste. Cooperation in the field of sports has also been offered to other countries to increase the performance and competitive level of their athletes. At the 2003 Pan American Games, 71 Cuban sports performance coaches provided training for athletes from 17 Latin American and Caribbean countries. Similarly, for the 2008 Olympic Games, there were 18 Cuban sports specialists and trainers who formed part of the sports delegations from 14 countries.

4. Cooperation in other areas

65. The Independent Expert was informed that the Government had signed 10 cooperation agreements in the field of disaster risk reduction with Belarus, Belgium,

Ecuador, El Salvador, Haiti, Peru, Uruguay and the Central American Integration System. The Government has also been working on nine projects with Argentina, the Dominican Republic, Ecuador, Guatemala, Jamaica, Nicaragua, Pakistan and Seychelles. The Independent Expert was also informed that, from 2012 to 2016, the country had also provided technical cooperation to countries from Latin America and the Caribbean, including diagnosis of disaster risk reduction.

66. In addition to the cooperation provided by Cuba in these fields, 154 organizations have solidarity programmes with Cuba, through the Cuban Institute for Friendship with the Peoples, to develop small projects that can contribute at the local level. In some cases, foreign groups travel to Cuba and bring their own tools to support building efforts.

B. Cooperation received by Cuba

67. Cuba is not a member of the International Monetary Fund, the World Bank or the Inter-American Development Bank.[41] In 2015, the Organization for Economic Cooperation and Development estimated that the official development assistance received by Cuba was equal to $553 million.

68. Guideline 85 of the Guidelines of the Economic and Social Policy of the Party for 2016 to 2021 indicates the wish "to promote foreign economic cooperation, aimed at attracting financial resources, in accordance with the priorities that will be established in the National Plan for Economic and Social Development until 2030" and "to enhance the multilateral way, especially with institutions of the United Nations system".

69. The projects implemented with the funds from international cooperation address the sectors identified by the Government as being in line with its economic and social priorities.[42] The Government indicated that the funding received by Cuba comes mainly from Spain, Italy, Belgium and the European Union — which represented 10 per cent of the funding received through international cooperation — as well as the resources managed by the United Nations system (72.4 per cent). According to official sources, Cuba also had access to some reimbursable funds, with preferential terms, granted by China, Kuwait, Qatar and Saudi Arabia. The funding received was mainly used in the following sectors: agrifood (20 per cent), environment (14 per cent), clean water and sanitation (40 per cent), health and well-being (15 per cent) and education (8 per cent). The Independent Expert was told that the support from the European Union member States had been very useful, in particular in the area of technology. In 2019, the city of Havana would be celebrating its 500th anniversary and to mark the occasion, several buildings in old Havana are being renovated. With the support of international cooperation, including from the United Nations system, the European Union, Australia, Italy, Japan, Monaco and Switzerland, and through bilateral cooperation and other funds, the Office of the City Historian in Havana has been renovating buildings in the historic centre of Havana. In 2016, more than $3.6 million was raised from varied sources to strengthen the capacity of professionals, restore buildings and obtain technical and information technology equipment. For example, the Museum of the Palacio del Segundo Cabo, located in old Havana, has been renovated with the aid of technology provided with the support of UNICEF and the European Union.

70. The United Nations system has been working on the basis of its Development Assistance Framework 2014–2018.[43] During this cooperation cycle, eight outcome results have been agreed upon in the following areas: (a) population dynamics and the quality, development and sustainability of social and cultural services; (b) sustainable economic development; (c) food and nutritional security; and (d) environmental sustainability and

[41] James M. Boughton, "The IMF's final few: what will it take for Cuba to rejoin?", 19 February 2016, Centre for International Governance Innovation. Available at www.cigionline.org/articles/imfs-final-few-what-will-it-take-cuba-rejoin.

[42] Ibid.

[43] Office of the Resident Coordinator in Cuba, *Marco de Asistencia de Naciones Unidas para el Desarrollo*, p. 7.

management of disaster risks.[44] It is estimated that the resources needed to implement the activities during this cycle total $151.7 million.[45]

71. According to official sources, in July 2017, there were 11 collaboration projects with United Nations agencies, which were built around the priorities established by the Government. For example, UNICEF has been working on specialized education in improving the infrastructure and resiliency of schools and vulnerable communities to natural disasters, the United Nations Population Fund has been working on issues relating to sexuality and HIV/AIDS and the Food and Agriculture Organization of the United Nations (FAO) has been working on food sovereignty.

72. The following information was received by the Independent Expert regarding the international cooperation received by Cuba.

1. Health

73. According to official sources, the health sector has been receiving, through official development aid, an average of $20 million annually for the implementation of key programmes in the national health system, mainly for the provision of health care to vulnerable groups, including older persons, persons with disabilities and substance abusers. Cuba has also received contributions to programmes on the prevention of substance abuse, the promotion of the right to health, gender equality and gender identity, among others.

2. Education

74. International cooperation has contributed to raising the quality of education, in particular in rural areas, and improving the infrastructure and measures to implement sex education and nutritional education, among others.

75. Cooperation projects with the Ministry of Higher Education include sponsorships offered by the Flemish Inter-University Council,[46] which have made possible the training of 150 doctors of science and have contributed to modernizing the technological infrastructure of laboratories at the University of Santiago de Cuba. The Swiss Cooperation Office in Cuba has supported, among others, local development in seven provinces. It has also contributed to the development of research on biomass.[47] The European Commission, through the Fortalecimiento de las Capacidades de Gestion en Entidades Cubanas project, has contributed to strengthening the managerial capabilities of Cuban institutions of higher education at six universities.[48] According to official data, as of July 2017, there had been 200 academic and scientific mobility projects to enhance postgraduate research. In addition, 500 scholarships have been offered annually by more than 25 countries, including Brazil, China, Mexico, the Russian Federation, Spain and Erasmus+.

76. During the course of the United Nations Development Assistance Framework 2014–2018, projects have been developed on, inter alia, education and learning for children with special needs, resiliency in schools and communities that are vulnerable to the risks of natural disasters, and sex education. UNESCO has contributed to improving the network of its Chairs and other projects in different fields, including those on patrimony, law and climate change.

3. Cooperation in other areas

77. Since October 2008, the European Commission has allocated around €140 million to cooperation programmes with Cuba in the fields of disaster preparedness and the response to hurricanes, agriculture and food security and the environment and renewable energy.

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[44] Ibid.

[45] Ibid.

[46] See www.vliruos.be/en/countries/countrydetail/cuba_3850/.

[47] See www.eda.admin.ch/countries/cuba/es/home/cooperacion/proyectos.html.

[48] See also www.efmd.org/index.php?option=com_content&view=article&id=323:forgec-strengthening-managerial-capabilities-in-cuban-entities&catid=125:current-projects&Itemid=1230.

among others.[49] On 5 July 2017, the European Parliament endorsed the Political Dialogue and Cooperation Agreement between the European Union and Cuba, creating a framework for closer bilateral cooperation, including on trade, in which the European Parliament will monitor the implementation of the Agreement on human rights and civil liberties in Cuba and the role of Cuban civil society organizations.[50]

78. In the field of disaster risk reduction, according to official data, between 2005 and 2016, 22 projects were developed (totalling approximately $957,000) to strengthen local disaster risk reduction capacity, with the European Union and some programmes and agencies of the United Nations, such as UNESCO, UNICEF and the United Nations Development Programme (UNDP), civil society organizations and other entities. Some 100 management centres for disaster risk reduction were established, 89 of which were operating in July 2017.

79. In recent years, the agriculture system has received about $30 million annually to assist in strengthening the productive capacity of this sector.

VII. Challenges

80. The Independent Expert notes that efforts by Cuba to promote the right to international solidarity are all the more noteworthy in the light of the challenges it faces, which have an impact on the realization of human rights in the country. The collapse of the Soviet Union in 1991 severely affected the Cuban economy, which went into recession in 2016. Cuba adopted austerity measures, but was further affected by lower export earnings and reduced support from the Bolivarian Republic of Venezuela.[51] In 2015, economic growth in Cuba was 4.4 per cent; by 2017, that figure had fallen to 0.5 per cent.[52]

81. The embargo on trade, imposed in 1962 by the United States of America,[53] was extended the year after to prohibit financial and commercial transactions with Cuba and was further intensified to apply extraterritorially, through the Cuban Democracy Act of 1992 (known as the Torricelli Act) and the Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996 (known as the Helms-Burton Act),[54] making it difficult for companies to do business with both Cuba and the United States.[55] Further to the announcement made by President Obama on 17 December 2014[56] and the measures taken between 2015 and 2016, on 16 June 2017, President Trump signed the National Security Presidential Memorandum on Strengthening the Policy of the United States Toward Cuba, in which he announced support for the economic embargo of Cuba, as described in section 4 (7) of the Helms-Burton Act,[57] among others.

82. The economic, commercial and financial embargo imposed by the United States has had a negative impact on the social, economic and environmental dimensions of development, affecting in particular the vulnerable groups of the population.[58] The international community has condemned the embargo and, since 1992, the General Assembly has adopted a resolution every year condemning it. Most recently, in November

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[49] See www.europarl.europa.eu/RegData/etudes/IDAN/2017/570485/EXPO_IDA(2017)570485_EN.pdf.

[50] Ibid.

[51] Mark P. Sullivan, "Cuba: issues and actions in the 114th Congress", Congressional Research Service, 18 January 2017, p. 14. Available at https://fas.org/sgp/crs/row/R43926.pdf.

[52] Ibid.

[53] See section 620 A of the Foreign Assistance Act of 1962. Available at www.usaid.gov/sites/default/files/documents/1868/faa.pdf.

[54] See www.treasury.gov/resource-center/sanctions/Documents/libertad.pdf.

[55] See A/HRC/7/5/Add.3, para. 23.

[56] See https://obamawhitehouse.archives.gov/the-press-office/2014/12/17/fact-sheet-charting-new-course-cuba.

[57] Available at www.gpo.gov/fdsys/pkg/FR-2017-10-20/pdf/2017-22928.pdf.

[58] Office of the Resident Coordinator in Cuba, *Marco de Asistencia de Naciones Unidas para el Desarrollo*, p. 11.

2017, the General Assembly adopted resolution 72/4 reiterating the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba. In the resolution, the General Assembly recalled the measures adopted by the United States in 2015 and 2016 to modify several aspects of the application of the embargo, which contrasted with the measures announced on 16 June 2017 to reinforce the implementation of the embargo. The Inter-American Commission on Human Rights has also called for the lifting of the embargo, citing the negative impact on the human rights of the Cuban population, while not releasing the Government of Cuba from its international obligations.[59]

83. The Government estimated that in one year (April 2016–April 2017), the losses caused by the embargo to the Cuban economy were more than $4 billion.[60] The Government also indicated that the embargo had negative effects on health, food, education and sports, among others.[61]

84. United Nations entities have also pointed out other effects of the embargo. For example, FAO indicated that the embargo affected the importation of food products for human consumption, in particular those for social programmes, because the embargo restricted both the quantity and quality of food products.[62] UNICEF noted that the embargo continued to increase the cost of supplies, as well as basic social services, including health and education, thus affecting in particular women and children.[63] UNDP highlighted that the embargo affected the most vulnerable groups of the population.[64]

85. Climate change also represents a great challenge to Cuba, which is a small island developing State that experiences drought. It was estimated that, by the end of February 2017, 71 per cent of the national territory was suffering from meteorological drought,[65] affecting food production. The country also needs to address ecological changes, extreme weather events, water quality and rising sea levels, which are combined with social, cultural, economic and demographic conditions.[66]

VIII. Conclusions and recommendations

86. **The Independent Expert expresses her appreciation to the Government of Cuba for its model of solidarity cooperation, which was described by government representatives during the visit as "giving from what we have, not from our leftovers". She commends Cuba for leading the efforts in the creation, continuous support for and the recent extension of the mandate through Human Rights Council resolution 35/3. During her visit, the Independent Expert noted that solidarity was a value cherished by Cuban society, which manifested itself in a number of different ways, as people were taught from an early age the value of collectivism rather than individualism. She also recognizes the creativity and self-reliance of the Cuban people in mitigating the effects of the embargo. She encourages the Government to further strengthen its efforts to protect and promote all human rights and freedoms, on the basis of equality and non-discrimination, despite the embargo.**

87. **The Independent Expert welcomes the measures the Government of Cuba has taken in the area of solidarity, which she was able to observe during her brief visit to the country. Her observations of good practices in preventive and reactive solidarity and international cooperation have served to frame the present report in the context of the draft declaration on the right to international solidarity.**

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[59] Inter-American Commission on Human Rights, *Annual Report 2013*, para. 107. Available at www.oas.org/en/iachr/docs/annual/2013/docs-en/annualreport-chap4-cuba.pdf.

[60] A/72/94, p. 29.

[61] Ibid.

[62] Ibid., pp. 126–127.

[63] Ibid., p. 152.

[64] Ibid., p. 161.

[65] Ibid., p. 43.

[66] Gisela Alonso and Ismael Clark, "Cuba confronts climate change", *International Journal of Cuban Health and Medicine*, vol. 17, No. 2 (April 2015).

88. The comments and recommendations listed below are offered by the Independent Expert in a spirit of constructive dialogue. The Independent Expert:

(a) Encourages the Government to consider ratifying the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and their Optional Protocols, as well as other human rights instruments that are as yet not ratified. She also encourages the Government to implement the recommendations of the universal periodic review;

(b) Encourages the Government to invite other mandate holders to make official visits to the country and consider issuing a standing invitation to this effect;

(c) Recognizes the efforts made by the Government to ratify a number of international human rights instruments. She wishes to respectfully point out, however, that a Cuban national human rights institution compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) would further enhance and support the significant progress that has already been achieved in the exercise and enjoyment of human rights, as well as in the implementation of the right to international solidarity. For this purpose, technical cooperation services could be requested from the Office of the United Nations High Commissioner for Human Rights;

(d) Looks forward to the adoption by the Government of the National Plan for Economic and Social Development until 2030 as a step towards achieving the Sustainable Development Goals;

(e) Encourages the Government to gather and publish income-based and other disaggregated data, so that it can monitor and measure its own progress on a regular basis;

(f) Suggests that the Government increase its efforts to find a common understanding of a human rights-based approach in development cooperation among all its partners and stakeholders;

(g) Recommends the inclusion and meaningful participation of the people of Cuba, wherever possible, in the relevant processes of solidarity programmes and initiatives at national and international levels, as required in a human-rights based approach.